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EXAMINER

WORKU, NEGUSSIE

ART UNIT PAPER NUMBER

2625

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/924,227

Applicant(s)

BLAIR ET AL.

Examiner

Negussie Worku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 11/18/02; 03/13/03.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### ***DETAILED ACTION***

1. This Office action is in response to a restriction/requirement filed 09/05/06. Claims 1-8 are pending, of which, claims 9-19 are withdrawn with traverse, and claims 20-22 is cancelled.

### ***Objection to the drawing Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drawing must show the interconnection of the hard ware, such as image input means, transmittal means, etc computer, not only the software lay out of the application, ***and also fig 6 through 8 are must be shown clearly*** or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kagami et al. (USP 5,532,844), in view of Kadota (USP 6697073).

With respect to claim 1, Kagam et al. discloses or teaches an image acquisition apparatus (IR image scanner of fig 2) connected to computer, (PC 80 of fig 2) comprising: an image input means (image scanner IR of fig 2) for inputting image data into a control circuit (control unit 40 of fig 2) within said apparatus (fig 2); transmittal means (control unit 40, read out from the memory unit 31 of fig 2, to the host PC through the I/F unit 1 and the ports TC of fig 2) for sending said image data from said control circuit (40 of fig 2) through said computer (PC 80 of fig 2); interface means (I/F 1 of fig 2) for said control circuit (40 of fig 2) to receive instructions from, and send data to, control software on said computer (PC computer 80 of fig 2).

Kagam et al. does not teach or discloses specifically computer having connected to at least one USB system of computer.

Kadota in the same area of image reading and processing apparatus (fig 1), teaches an aparataous connected to at least one USB system of computer, (personal computer 5 of fig 1, provided with USB port 3 of fig 1, as discussed in col.5, lines 54-60).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the image reading and processing device of Kagami et al. to include: a system computer having at least on USB port.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the document reading, processing and transmitting device of Kagami et al. by the teaching of Kadota for the reason that, it

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would have been allowed users to enables a personal computer to be connected to a plurality of USB compatible peripheral devices through on or more hubs.

With respect to claim 2, Kagami teaches or discloses an apparatus wherein said image input means (IR image reader or scanner, as shown in fig 1 and 2) comprises at least one of a Compact Flash Memory card reader, a Smart Media card reader, a PC or PCMCIA Card reader, (PC personal computer 8 of fig 2) a Memory Stick reader, (twin memory 31a and 31b of memory 31, inheritably provides flash memory) a Multi Media card reader, a Secure Digital card reader, and a IBM Microdrive reader, see (col.6, lines 47-53).

With respect to claim 3, Kagami et al. discloses an apparatus (as shown in fig 2), further comprising simple control means (control unit 40 of fig 2) for directing complex operations of said control circuit (interface control circuit 60 of fig 2) and said control software directly from the outside of said apparatus, (control program embedded in PC computer 80 of fig 2) soft ware said means (program of PC 80 of fig 2) comprising: at least one button on said apparatus wherein said button has a function determined by said control software (key board (button) from the host computer trigared to excite the operation of the system); an interface (I/F of fig 2) for said button to direct said control circuit (61 of fig 2) and said control software (control program (software) from 80 of fig 1).

With respect to claim 4, Kagami et al. discloses an apparatus (as shown in fig 2), wherein said image input means (scanner IR of fig 2) further comprising a scanner, said scanner comprising: a transparent platform for placing items to be scanned, (document positioned on a platform shown in fig 2, for scanning) said items comprising photographs, documents, or drawings, and said platform having rectangular dimensions (a document or original to be scanned as shown in fig 2); optical scanning hardware for scanning images of said items, Image sensor 21 of fig 2) wherein said hardware includes a scanning module (image sensor 21 of fig 2) slid ably installed inside said housing, (scanner housing 100 of fig 1) said scanning module being approximately as wide as one of the dimensions of said transparent platform, said scanning module (IR scanner of fig 2) comprising: a mechanism and assembly for moving said module along one of the axes of said transparent platform (driving unit 50 having motor 51 for moving the image sensor 21 of fig 2, see col.5,lines 60-65); a bottom light source (LED light source 24 of fig 2) for emitting light towards said items, see (col.col.6, lines 43-46) an image converter for converting said image of the item into a digital image, (A/D converter 22 of fig 2), a closeable top (cover member 110 of fig 11) with dimensions slightly larger than the dimensions of said transparent platform, see (col.13, lines 42-45) handedly attached to said housing so that said top covers (110 of fig 11) said transparent platform when closed.

With respect to claim 5, Kagami e al. discloses an image processing method (a shown in fig 2) in an image acquisition apparatus (scanner IR of fig 2) connected to at

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computer (computer 80 of fig 2), comprising: an image input (image sensor 21 of fig 2) step for inputting image data into a control circuit (40 of fig 2) within said apparatus; a transmittal step for sending said image data from said control circuit (40 of fig 2) through (interface I/F of fig 2) of said computer (PC computer 80 of fig 2); an interface step for said control circuit (40 of fig 2) to receive instructions from, and send data to, control software on said computer (control program in a computer 80 of fig 2).

With respect to claim 6, Kagami et al. discloses a method (as shown in fig 1 and 2), wherein said image input step comprises detecting (IR image reader or scanner, as shown in fig 1 and 2) the insertion of the appropriate media into at least one of a Compact Flash Memory card reader, a Smart Media card reader, a PC or PCMCIA Card reader, (PC or computer 80 of fig 2) a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and a IBM Micro drive reader, (see col.6, lines 47-53).

With respect to claim 7, Kagami et al. discloses a method (as shown in fig 2), further comprising simple control steps for directing complex operations of said control circuit (control unit 40 of fig 2) and said control software directly from the outside of said apparatus, (control program (software) from computer 80 of fig 2) said steps comprising: providing at least one button (keyboard button of personal computer 80 of fig 2) on said apparatus wherein said button has a function determined by said control software (control program from computer 80 of fig 2); providing an interface for said button to



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direct said control circuit (40 of fig 2) and said control software, (control program from computer 80 of fig 2).

With respect to claim 8, Kagami et al. discloses, wherein said image input step (scanner IR of fig 2) further comprising a scanner, (image sensor 21 of fig 2) said scanner comprising: a transparent platform for placing items to be scanned, (document positioned on a platform shown in fig 2, for scanning) said items comprising photographs, documents, or drawings, and said platform having rectangular dimensions (a document or original to be scanned as shown in fig 2); optical scanning hardware for scanning images of said items, Image sensor 21 of fig 2) wherein said hardware includes a scanning module (image sensor 21 of fig 2) slidably installed inside said housing, (scanner housing 100 of fig 1) said scanning module being approximately as wide as one of the dimensions of said transparent platform, said scanning module (IR scanner of fig 2) comprising: a mechanism and assembly for moving said module along one of the axes of said transparent platform (driving unit 50 having motor 51 for moving the image sensor 21 of fig 2, see col.5, lines 60-65); a bottom light source (LED light source 24 of fig 2) for emitting light towards said items, see (col.6, lines 43-46) an image converter for converting said image of the item into a digital image, (A/D converter 22 of fig 2), a closeable top (cover member 110 of fig 11) with dimensions 8) slightly larger than the dimensions of said transparent platform, see (col.13, lines 42-45) handably attached to said housing so that said top covers (110 of fig 11) said transparent platform when closed.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Negussie Worku

11/03/06

DOUGLAS Q. TRAN  
PRIMARY EXAMINER

